

Docket No. ROC 017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Veronique Mahe, et al.
Serial No. : 09/483,766 Art Unit: 1615
Filed : January 19, 2000 Examiner: T. K. Page
For : A COSMETIC COMPOSITION BASED ON MENTHOL AND
MENTHYL LACTATE, HAVING LITTLE ODOR AND BEING NON-
IRRITATING

Commissioner of Patents
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

October 10, 2003

(Date)

Andrea L. Colby

Name of applicant, assignee, or Registered Representative

(Signature)

October 10, 2003

(Date of Signature)

PETITION UNDER 37 C.F.R. 1.183

Dear Sir:

Applicants hereby respectfully petition the Commissioner of Patents that the requirement for an inventor to sign a supplemental declaration for the above-identified patent application be suspended or waived due to the refusal of that inventor to sign a supplemental declaration after numerous requests.

A Declaration of Andrea L. Colby recounting the attempts made on behalf of the assignee to contact the inventor, Ms. Anne Emmanuelle Guise, and request that she sign the declaration is attached hereto. As set forth in the Declaration, the undersigned attempted to have Ms. Guise sign a declaration in the above-captioned patent application on several occasions. Although she originally signed a declaration

11/14/2003 AKELLEY 00000013 100750 09483766

01 FC:1252 420.00 DA

10/09/03 THU 19:01 [TX/RX NO 5259]

without dating it and signed another declaration on February 25, 2000, due to some reason, a docketing file clerk drew a red line through the front page of the second declaration (§4, Declaration of Andrea L. Colby). In an abundance of caution, and in response to the Office Action of March 18, 2002, Ms. Colby again sent a declaration to Ms. Guise to sign (§5, Declaration). At this time, she was informed that Ms. Guise had left the company (§5, Declaration). Ms. Colby forwarded the declaration to her contact in the assignee's European Law Department, who made several attempts to send the declaration to Ms. Guise at her new place of employment and home, but received no response (§6, Declaration). Ms. Colby requested a local French law firm to attempt to obtain the signature of Ms. Guise, but the firm was equally unsuccessful (§7, Declaration). In view of the attempts made and failure to obtain Ms. Guise's signature, applicants respectfully petition the Commissioner to either accept the declaration signed on February 25, 2000 by all inventors or waive the requirement to obtain Ms. Guise's signature and accept the enclosed declarations in fulfillment of applicants' requirements under 37 C.F.R. 1.67.

Please charge the fee set forth in 37 CFR §1.17(h) to Deposit Account No.: 10-0750/ROC017/ALC. A triplicate copy of this sheet is attached hereto.

Respectfully submitted,
By: Andrea L. Colby
Andrea L. Colby
Attorney for Applicants
Reg. No. 30,194

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2792
Dated: October 10, 2003

RECEIVED
CENTRAL FAX CENTER

OCT 10 2003

OFFICIAL